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JUN 27 2005

PTO/SB/66 (01-05)

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. 6,134,118 Application Number 08/834,198
Issue Date 10-17-2000 Filing Date 4-3-1997

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.388(c) and (d).

Also complete the following information, if applicable

The above-identified patent:

- is a reissue of original Patent No. _____ original issue date _____;
original application number _____
original filing date _____
- resulted from the entry into the U.S. under 35 U.S.C. 371 of international
application _____ filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
(1) being deposited with the United States Postal Service on the date shown below with sufficient
postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450 OR
(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark
Office at (703) 872-9306.

3/28/05

Date



Signature

William K. Kuncz

Typed or printed name of person signing Certificate

07/01/2005 DALLON 0000008.6134118

01 FC:2551 450.00 UP
02 FC:1557 700.00 UP

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 0 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 11/30/2006 CKHLOK
07/01/2005 DALLON 0000008 6134118
02 FC:1557 -700.00 UP

PAGE 38* RCV'D AT 6/27/2005 2:24:22 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-1/2* DNI:8729306* CSID: * DURATION (mm:ss):02:30

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JUN 27 2005

PTO/SB/85 (01-05)

Approved for use through 06/30/2008. OMB 0651-0016

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1. SMALL ENTITY

 Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

 Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input checked="" type="checkbox"/> \$ <u>455</u>	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 455.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 700.00

5. MANNER OF PAYMENT

 Enclosed is a check for the sum of \$ _____ Please charge Deposit Account No. _____ the sum of \$ _____. A duplicate copy of this authorization is attached. Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

 The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____. A duplicate copy of this authorization is attached.

[Page 2 of 4]

PTO-85165 (01-05)
Approved for use through 5/31/2006. OMB 0851-0016
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7. OVERPAYMENT

As to any overpayment made please

Credit to Deposit Account No. _____

OR

Send refund check.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

WILLIAM K. KIENZ

Signature(s) of Petitioner(s)

10 Victor Sq #100

Address

SCOTTS VALLEY, CA 95066

Address

3/28/05

Date

Registration Number, if applicable

(83) 438 3887 X 133

Telephone Number

ENCLOSURES:

- Maintenance Fee payment
- Statement why maintenance fee was not paid timely
- Surcharge under 37 CFR 1.20(I)(1) (fee for filing the maintenance fee petition)
- Other:

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>11/30/06</u>		2 Serial/Patent # <u>6,134,118</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition 1557		06/27/05	\$ 700.00
<input type="checkbox"/>	Issue			\$
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<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ <u>700.00</u>	
8 TO BE REFUNDED BY:				
10 REASON:		X Treasury Check <i>Credit Card</i>	Credit Deposit A/C #:	
<input type="checkbox"/>	Overpayment		9 <input type="text"/> <input type="text"/> <input type="text"/> -- <input type="text"/> <input type="text"/> <input type="text"/>	
<input type="checkbox"/>	Duplicate Payment			
<input checked="" type="checkbox"/>	No Fee Due (Explanation):			
Applicant has now filed a petition under 37 CFR 1.378(c), so the petition fee under 37 CFR 1.378(b) is unnecessary				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Douglas I. Wood</u>		TITLE: Senior Petitions Attorney		
SIGNATURE: <u>/douglas wood/</u>		PHONE: 571-272-3231		
OFFICE: Office of Petitions				
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APPROVED: <u>Clark</u>		DATE: <u>11/30/06</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B